

THE SOVIET SOCIALIST CONSTITUTION



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DECISION OF THE EXTRAORDINARY
EIGHTH CONGRESS OF SOVIETS
OF THE UNION OF SOVIET
SOCIALIST REPUBLICS

ON THE RATIFICATION
OF THE CONSTITUTION
(FUNDAMENTAL LAW)
OF THE UNION OF SOVIET
SOCIALIST REPUBLICS.

The Extraordinary Eighth Congress of Soviets of the Union of Soviet Socialist Republics *resolves* :

That the Draft Constitution (Fundamental Law) of the Union of Soviet Socialist Republics, as submitted by the Drafting Commission of the Congress, *be ratified*.

PRESIDIUM OF THE CONGRESS.

Moscow, Kremlin.

December 5, 1936.

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CHAPTER I

THE ORGANISATION OF SOCIETY

ARTICLE 1

The Union of Soviet Socialist Republics is a socialist state of workers and peasants.

ARTICLE 2

The political foundation of the U.S.S.R. are the Soviets of Toilers' Deputies, which developed and grew strong as a result of the overthrow of the power of the landlords and capitalists and the achievement of the dictatorship of the proletariat.

ARTICLE 3

All power in the U.S.S.R. belongs to the toilers of town and country as represented by the Soviets of Toilers' Deputies.

ARTICLE 4

The economic foundation of the U.S.S.R. is the socialist system of economy and the socialist ownership of the implements and means of production firmly established as a result of the liquidation of the capitalist system of economy, the abolition of private property in the implements and means of production and the abolition of exploitation of man by man.

ARTICLE 5

Socialist property in the U.S.S.R. bears either the form of state property (the possession of the whole people) or the form of co-operative and collective farm property (property of separate collective farms and property of co-operative associations).

ARTICLE 6

The land, mineral deposits, waters, forests, mills, factories, mines, railways, water and air transport systems, banks, means of communication, large state-organised agricultural enterprises (state farms, machine and tractor stations and the like) as well as municipal enterprises and the principal dwelling house properties in the cities and industrial localities, are state property, that is, the possession of the whole people.

ARTICLE 7

Public enterprises of collective farms and co-operative organisations, with their livestock and implements, products raised and manufactured by the collective farms and co-operative organisations, as well as their public structures, constitute the public, socialist property of the collective farms and co-operative organisations.

Every collective farm household, in addition to its basic income from the public collective farm enterprise, has in personal use a plot of land attached to the house and, in personal ownership, an auxiliary establishment on the plot, the house, produce animals and poultry, and minor agricultural implements —in accordance with the statutes of the agricultural artel.

ARTICLE 8

The land occupied by collective farms is secured to them for their free use for an unlimited time, that is, for ever.

ARTICLE 9

Alongside the socialist system of economy, which is the predominant form of economy in the U.S.S.R., the law permits small private economy of individual peasants and handicraftsmen based on their personal labour and precluding the exploitation of the labour of others.

ARTICLE 10

The right of citizens to personal property in their income from work and in their savings, in their dwelling houses and auxiliary household economy, their domestic furniture and utensils and objects of personal use and comfort, as well as the right of inheritance of personal property of citizens, are protected by law.

ARTICLE 11

The economic life of the U.S.S.R. is determined and directed by the state plan of national economy for the purpose of increasing the public wealth, of steadily raising the material and cultural level of the toilers, and of strengthening the independence of the U.S.S.R. and its power of defence.

ARTICLE 12

In the U.S.S.R. work is the obligation and a matter of honour of every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

In the U.S.S.R. the principle of socialism is realised: "From each according to his ability, to each according to the work performed."

CHAPTER II

THE ORGANISATION OF THE STATE

ARTICLE 13

The Union of Soviet Socialist Republics is a federated state, formed on the basis of the voluntary association of Soviet

Socialist Republics possessing equal rights, namely:

The Russian Soviet Federative Socialist Republic.
The Ukrainian Soviet Socialist Republic.
The Byelorussian Soviet Socialist Republic.
The Azerbaijani Soviet Socialist Republic.
The Georgian Soviet Socialist Republic.
The Armenian Soviet Socialist Republic.
The Turkmen Soviet Socialist Republic.
The Uzbek Soviet Socialist Republic.
The Tadzhik Soviet Socialist Republic.
The Kazakh Soviet Socialist Republic.
The Kirghiz Soviet Socialist Republic.

ARTICLE 14

The jurisdiction of the Union of Soviet Socialist Republics, as represented by its highest organs of power and organs of state administration, covers:

- (a) Representation of the Union in international relations, conclusion and ratification of treaties with other states;
- (b) Questions of war and peace;
- (c) Admission of new republics into the U.S.S.R.;
- (d) Supervision over the observance of the Constitution of the U.S.S.R. and ensuring that the Constitutions of the Union Republics conform with the Constitution of the U.S.S.R.;
- (e) Ratification of alterations of boundaries between Union Republics;
- (f) Ratification of the formation of new Territories and Regions and also of new Autonomous Republics within the Union Republics;
- (g) Organisation of the defence of the U.S.S.R. and the direction of all the armed forces of the U.S.S.R.;
- (h) Foreign trade on the basis of state monopoly;
- (i) Safeguarding the security of the state;
- (j) Determining the plans of national economy of the U.S.S.R.;
- (k) Approval of the unified state budget of the U.S.S.R. as well as of the taxes and revenues which go to form the Union, Republican and local budgets;
- (l) Administration of the banks, industrial and agricultural establishments and enterprises, and trading enterprises of all-Union importance;
- (m) Administration of transport and communications;

- (n) Direction of the monetary and credit system;
- (o) Organisation of state insurance;
- (p) Contracting and granting loans;
- (q) Establishment of the basic principles of land tenure as well as of the use of mineral deposits, forests and waters;
- (r) Establishment of the basic principles in the spheres of educational and public health;
- (s) Organisation of a uniform system of national economic accounting;
- (t) Establishment of the principles of labour legislation;
- (u) Legislation governing the judicial system and judicial procedure; criminal and civil codes;
- (v) Laws governing citizenship of the Union; laws governing the rights of foreigners;
- (w) Issuance of all-Union acts of amnesty.

ARTICLE 15

The sovereignty of the Union Republics is restricted only within the limits set forth in Article 14 of the Constitution of the U.S.S.R. Outside of these limits, each Union Republic exercises state power independently. The U.S.S.R. protects the sovereign rights of the Union Republics.

ARTICLE 16

Each Union Republic has its own Constitution, which takes into account the specific features of the Republic and is drawn up in full conformity with the Constitution of the U.S.S.R.

ARTICLE 17

To every Union Republic is reserved the right freely to secede from the U.S.S.R.

ARTICLE 18

The territory of the Union Republics may not be altered without their consent.

ARTICLE 19

The laws of the U.S.S.R. have equal force in the territory of all Union Republics.

ARTICLE 20

In the event of a discrepancy between a law of a Union Republic and the law of the Union, the all-Union law prevails.

ARTICLE 21

One Union citizenship is established for all citizens of the U.S.S.R.

Every citizen of a Union Republic is a citizen of the U.S.S.R.

ARTICLE 22

The Russian Soviet Federative Socialist Republic consists of the Azov-Black Sea, Far-Eastern, West Siberian, Krassnoyarsk and North Caucasian Territories; the Voronezh, East Siberian, Gorky, Western, Ivanovo, Kalinin, Kirov, Kuibyshev, Kursk, Leningrad, Moscow, Omsk, Orenburg, Saratov, Sverdlovsk, Northern, Stalingrad, Chelyabinsk and Yaroslavl Regions; the Tatar, Bashkir, Daghestan, Buryat-Mongolian, Kabardino-Balkarian, Kalmyk, Karelian, Komi, Crimean, Mari, Mordovian, Volga German, North Ossetian, Udmurt, Chechen-Ingush, Chuvash and Yakut Autonomous Soviet Socialist Republics; the Adygei, Jewish, Karachai, Oirot, Khakass and Cherkess Autonomous Regions.

ARTICLE 23

The Ukrainian Soviet Socialist Republic consists of the Vinnitsa, Dniepropetrovsk, Donetsk, Kiev, Odessa, Kharkov and Chernigov Regions and the Moldavian Autonomous Soviet Socialist Republic.

ARTICLE 24

The Azerbaijani Soviet Socialist Republic includes the Nakhichevan Autonomous Soviet Socialist Republic and the Nagorno-Karabakh Autonomous Region.

ARTICLE 25

The Georgian Soviet Socialist Republic includes the Abkhazian Autonomous Soviet Socialist Republic, the Adjarian Autonomous Soviet Socialist Republic and the South Ossetian Autonomous Region.

ARTICLE 26

The Uzbek Soviet Socialist Republic includes the Kara-Kalpak Autonomous Soviet Socialist Republic.

ARTICLE 27

The Tadzhik Soviet Socialist Republic includes the Gorno-Badakhshan Autonomous Region.

ARTICLE 28

The Kazakh Soviet Socialist Republic consists of the Aktyubinsk, Alma-Ata, East Kazakhstan, West Kazakhstan, Karaganda, Kustanai, North Kazakhstan and South Kazakhstan Regions.

ARTICLE 29

The Armenian Soviet Socialist Republic, the Byelorussian Soviet Socialist Republic, the Turkmen Soviet Socialist Republic and the Kirghiz Soviet Socialist Republic contain no Autonomous Republics or Territories and Regions.

CHAPTER III

THE HIGHEST ORGANS OF STATE POWER OF THE UNION OF SOVIET SOCIALIST REPUBLICS

ARTICLE 30

The highest organ of state power of the U.S.S.R. is the Supreme Soviet of the U.S.S.R.

ARTICLE 31

The supreme Soviet of the U.S.S.R. exercises all rights vested in the Union of Soviet Socialist Republics in accordance with Article 14 of the Constitution, in so far as, by virtue of the Constitution, they do not come within the jurisdiction of organs of the U.S.S.R. which are accountable to the Supreme Soviet of the U.S.S.R., *ie*, the Presidium of the Supreme Soviet of the U.S.S.R., the Council of People's Commissars of the U.S.S.R. and the People's Commissariats of the U.S.S.R.

ARTICLE 32

The legislative power of the U.S.S.R. is exercised exclusively by the Supreme Soviet of the U.S.S.R.

ARTICLE 33

The Supreme Soviet of the U.S.S.R. consists of two Chambers: the Soviet of the Union and the Soviet of Nationalities.

ARTICLE 34

The Soviet of the Union is elected by the citizens of the U.S.S.R. according to electoral areas on the basis of one deputy for every 300,000 of the population.

ARTICLE 35

The Soviet of Nationalities is elected by the citizens of the U.S.S.R. according to Union and Autonomous Republics, Autonomous Regions and national areas on the basis of twenty-five deputies from each Union Republic, eleven deputies from each Autonomous Republic, five deputies from each Autonomous Region and one deputy from each national area.

ARTICLE 36

The Supreme Soviet of the U.S.S.R. is elected for a term of four years.

ARTICLE 37

The two Chambers of the Supreme Soviet of the U.S.S.R., the Soviet of the Union and the Soviet of Nationalities, have equal rights.

ARTICLE 38

The Soviet of the Union and the Soviet of Nationalities enjoy equal right to initiate legislation.

ARTICLE 39

A law is deemed to be adopted if passed by both Chambers of the Supreme Soviet of the U.S.S.R. by a simple majority in each.

ARTICLE 40

Laws adopted by the Supreme Soviet of the U.S.S.R. are published in the languages of the Union Republics over the signatures of the Chairman and Secretary of the Presidium of the Supreme Soviet of the U.S.S.R.

ARTICLE 41

Sessions of the Soviet of the Union and the Soviet of Nationalities begin and terminate simultaneously.

ARTICLE 42

The Soviet of the Union elects a Chairman of the Soviet of the Union and two Vice-Chairmen.

ARTICLE 43

The Soviet of Nationalities elects a Chairman of the Soviet of Nationalities and two Vice-Chairmen.

ARTICLE 44

The Chairmen of the Soviet of the Union and of the Soviet of Nationalities preside over the meetings of the respective Chambers and are in charge of the procedure of these bodies.

ARTICLE 45

Joint sittings of both Chambers of the Supreme Soviet of the U.S.S.R. are presided over alternately by the Chairman of the Soviet of the Union and the Chairman of the Soviet of Nationalities.

ARTICLE 46

Sessions of the Supreme Soviet of the U.S.S.R. are convened by the Presidium of the Supreme Soviet of the U.S.S.R. twice a year.

Extraordinary sessions are convened by the Presidium of the Supreme Soviet of the U.S.S.R. at its discretion or on the demand of one of the Union Republics.

ARTICLE 47

In the event of disagreement between the Soviet of the Union and the Soviet of Nationalities the question is referred for settlement to a conciliation commission formed on a parity basis. If the conciliation commission fails to arrive at an agreed decision, or if its decision fails to satisfy one of the Chambers, the question is considered for a second time by the Chambers. Failing an agreed decision of the two Chambers, the Presidium of the Supreme Soviet of the U.S.S.R. dissolves the Supreme Soviet of the U.S.S.R. and appoints new elections

ARTICLE 48

The Supreme Soviet of the U.S.S.R. at a joint sitting of both Chambers elects the Presidium of the Supreme Soviet of the U.S.S.R., consisting of the Chairman of the Presidium of the Supreme Soviet of the U.S.S.R., eleven Vice-Chairmen, the Secretary of the Presidium and twenty-four members of the Presidium

The Presidium of the Supreme Soviet of the U.S.S.R. is accountable to the Supreme Soviet of the U.S.S.R. for all its activities

ARTICLE 49

The Presidium of the Supreme Soviet of the U.S.S.R.:

(a) Convenes the sessions of the Supreme Soviet of the U.S.S.R.;

(b) Interprets existing laws of the U.S.S.R., promulgates decrees;

(c) Dissolves the Supreme Soviet of the U.S.S.R. in conformity with Article 47 of the Constitution of the U.S.S.R. and appoints new elections;

(d) Conducts a popular canvass (referendum) on its own initiative or on the demand of one of the Union Republics;

(e) Annuls such decisions and orders of the Council of People's Commissars of the U.S.S.R. and the Councils of

People's Commissars of the Union Republics as do not conform to law;

(f) In the intervals between sessions of the Supreme Soviet of the U.S.S.R., dismisses and appoints People's Commissars of the U.S.S.R. on the recommendation of the Chairman of the Council of People's Commissars of the U.S.S.R., subject to subsequent confirmation by the Supreme Soviet of the U.S.S.R.;

(g) Awards decorations and titles of honour of the U.S.S.R.;

(h) Exercises the right of pardon;

(i) Appoints and dismisses the High Command of the armed forces of the U.S.S.R.;

(j) In the intervals between sessions of the Supreme Soviet of the U.S.S.R., proclaims a state of war in the event of armed attack on the U.S.S.R., or whenever required to fulfil international treaty obligations concerning mutual defence against aggression;

(k) Proclaims general or partial mobilisation;

(l) Ratifies international treaties;

(m) Appoints and recalls plenipotentiary representatives of the U.S.S.R. to foreign states;

(n) Receives the credentials and letters of recall of diplomatic representatives of foreign states accredited to it.

ARTICLE 50

The Soviet of the Union and the Soviet of Nationalities elect Credentials Commissions which examine the credentials of the members of the respective Chambers.

On the recommendations of the Credentials Commissions the Chambers decide either to endorse the credentials or to annul the election of the deputies concerned.

ARTICLE 51

The Supreme Soviet of the U.S.S.R., when it deems necessary, appoints commissions of enquiry and investigation on any matter.

It is the duty of all institutions and officials to comply with the demands of these commissions and to submit to them the necessary materials and documents.

ARTICLE 52

A member of the Supreme Soviet of the U.S.S.R. may not be prosecuted or arrested without the consent of the Supreme Soviet of the U.S.S.R., and in the period when the Supreme

Soviet of the U.S.S.R. is not in session, without the consent of the Presidium of the Supreme Soviet of the U.S.S.R.

ARTICLE 53

On the expiration of the term of office of the Supreme Soviet of the U.S.S.R., or after the Supreme Soviet has been dissolved prior to the expiration of its term of office, the Presidium of the Supreme Soviet of the U.S.S.R. retains its powers until the formation of a new Presidium of the Supreme Soviet of the U.S.S.R. by the newly-elected Supreme Soviet of the U.S.S.R.

ARTICLE 54

On the expiration of the term of office of the Supreme Soviet of the U.S.S.R., or in the event of its dissolution prior to the expiration of its term of office, the Presidium of the Supreme Soviet of the U.S.S.R. appoints new elections to be held within a period not exceeding two months from the date of expiration of the term of office or the dissolution of the Supreme Soviet of the U.S.S.R.

ARTICLE 55

The newly-elected Supreme Soviet of the U.S.S.R. is convened by the outgoing Presidium of the Supreme Soviet of the U.S.S.R. not later than one month after the elections.

ARTICLE 56

The Supreme Soviet of the U.S.S.R., at a joint sitting of both Chambers, forms the Government of the U.S.S.R.—the Council of People's Commissars of the U.S.S.R.

CHAPTER IV

THE HIGHEST ORGANS OF STATE POWER OF THE UNION REPUBLICS

ARTICLE 57

The highest organ of state power of a Union Republic is the Supreme Soviet of the Union Republic.

ARTICLE 58

The Supreme Soviet of a Union Republic is elected by the citizens of the Republic for a term of four years.

The rates of representation are determined by the Constitutions of the Union Republics.

ARTICLE 59

The Supreme Soviet of a Union Republic is the sole legislative organ of the Republic.

ARTICLE 60

The Supreme Soviet of a Union Republic:

(a) Adopts the Constitution of the Republic and amends it in conformity with Article 16 of the Constitution of the U.S.S.R.;

(b) Ratifies the Constitutions of the Autonomous Republics belonging to it and defines the boundaries of their territories;

(c) Approves the plan of national economy and the budget of the Republic;

(d) Exercises the right to amnesty and pardon citizens sentenced by the judicial organs of the Union Republic.

ARTICLE 61

The Supreme Soviet of a Union Republic elects the Presidium of the Supreme Soviet of the Union Republic consisting of the Chairman of the Presidium of the Supreme Soviet of the Union Republic, Vice-Chairmen, the Secretary of the Presidium and members of the Presidium of the Supreme Soviet of the Union Republic.

The powers of the Presidium of the Supreme Soviet of a Union Republic are defined by the Constitution of the Union Republic.

ARTICLE 62

The Supreme Soviet of a Union Republic elects a Chairman and Vice-Chairmen to conduct its meetings.

ARTICLE 63

The Supreme Soviet of a Union Republic forms the Government of the Union Republic—the Council of People's Commissars of the Union Republic.

CHAPTER V

THE ORGANS OF STATE ADMINISTRATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS

ARTICLE 64

The highest executive and administrative organ of state power of the Union of Soviet Socialist Republics is the Council of People's Commissars of the U.S.S.R.

ARTICLE 65

The Council of People's Commissars of the U.S.S.R. is responsible to the Supreme Soviet of the U.S.S.R. and accountable to it; and in the intervals between sessions of the Supreme Soviet it is responsible and accountable to the Presidium of the Supreme Soviet of the U.S.S.R.

ARTICLE 66

The Council of People's Commissars of the U.S.S.R. issues decisions and orders on the basis and in pursuance of the laws in operation, and supervises their execution.

ARTICLE 67.

Decisions and orders of the Council of People's Commissars of the U.S.S.R. are binding throughout the entire territory of the U.S.S.R.

ARTICLE 68

The Council of People's Commissars of the U.S.S.R.:

(a) Co-ordinates and directs the work of the All-Union and Union-Republican People's Commissariats of the U.S.S.R. and of other institutions, economic and cultural, under its jurisdiction;

(b) Adopts measures to carry out the plan of national economy and the state budget and to strengthen the credit and monetary system;

(c) Adopts measures for the maintenance of public order, for the protection of the interests of the state, and for the safeguarding of the rights of citizens;

(d) Exercises general control in the sphere of relations with foreign states;

(e) Determines the annual contingent of citizens to be called up for military service and directs the general organisation and development of the armed forces of the country;

(f) Sets up, whenever necessary, special committees and Central Boards under the Council of People's Commissars of the U.S.S.R. for matters concerning the development of economy, culture and defence.

ARTICLE 69

The Council of People's Commissars of the U.S.S.R. has the right, in respect to those branches of administration and economy which come within the jurisdiction of the U.S.S.R., to suspend decisions and orders of the Councils of People's Commissars of the Union Republics and to annul orders and instructions of People's Commissars of the U.S.S.R.

ARTICLE 70

The Council of People's Commissars of the U.S.S.R. is formed by the Supreme Soviet of the U.S.S.R. and consists of:

The Chairman of the Council of People's Commissars of the U.S.S.R.

The Vice-Chairmen of the Council of People's Commissars of the U.S.S.R.

The Chairman of the State Planning Commission of the U.S.S.R.

The Chairman of the Commission of Soviet Control.

The People's Commissars of the U.S.S.R.

The Chairman of the Committee of Agricultural Stocks.

The Chairman of the Committee of Arts.

The Chairman of the Committee of Higher Education.

ARTICLE 71

The Government of the U.S.S.R. or a People's Commissar of the U.S.S.R. to whom a question of a member of the Supreme Soviet of the U.S.S.R. is addressed must give a verbal or written reply in the respective Chamber within a period not exceeding three days.

ARTICLE 72

The People's Commissars of the U.S.S.R. direct the branches of state administration which come within the jurisdiction of the U.S.S.R.

ARTICLE 73

The People's Commissars of the U.S.S.R. issue, within the limits of the jurisdiction of the respective People's Commissariats, orders and instructions on the basis and in pursuance of the laws in operation and also of decisions and orders of the Council of People's Commissars of the U.S.S.R., and supervise their execution.

ARTICLE 74

The People's Commissariats of the U.S.S.R. are either All-Union or Union-Republican Commissariats.

ARTICLE 75

The All-Union People's Commissariats direct the branches of state administration entrusted to them throughout the territory of the U.S.S.R. either directly or through bodies appointed by them.

ARTICLE 76

The Union-Republican People's Commissariats direct the branches of state administration entrusted to them as a rule through the medium of identically named People's Commissariats

of the Union Republics; they administer directly only a definite and limited number of enterprises according to a list confirmed by the Presidium of the Supreme Soviet of the U.S.S.R.

ARTICLE 77

The following People's Commissariats are All-Union People's Commissariats:

- Defence.
- Foreign Affairs.
- Foreign Trade.
- Railways.
- Communications.
- Water Transport.
- Heavy Industry.
- Defence Industry.

ARTICLE 78

The following People's Commissariats are Union-Republican People's Commissariats:

- Food Industry.
- Light Industry.
- Timber Industry.
- Agriculture.
- State Grain and Livestock Farms.
- Finance.
- Internal Trade.
- Internal Affairs.
- Justice.
- Public Health.

CHAPTER VI

THE ORGANS OF STATE ADMINISTRATION OF THE UNION REPUBLICS

ARTICLE 79

The highest executive and administrative organ of state power of a Union Republic is the Council of People's Commissars of the Union Republic.

ARTICLE 80

The Council of People's Commissars of a Union Republic is responsible to the Supreme Soviet of the Union Republic and accountable to it; and in the intervals between sessions of the Supreme Soviet of the Union Republic it is responsible and accountable to the Presidium of the Supreme Soviet of the respective Union Republic.

ARTICLE 81

The Council of People's Commissars of a Union Republic issues decisions and orders on the basis and in pursuance of the laws in operation in the U.S.S.R. and the Union Republic and of decisions and orders of the Council of People's Commissars of the U.S.S.R., and supervises their execution.

ARTICLE 82

The Council of People's Commissars of a Union Republic has the right to suspend decisions and orders of Councils of People's Commissars of Autonomous Republics and to annul decisions and orders of Executive Committees of Soviets of Toilers' Deputies of Territories, Regions and Autonomous Regions.

ARTICLE 83

The Council of People's Commissars of a Union Republic is formed by the Supreme Soviet of the Union Republic and consists of:

The Chairman of the Council of People's Commissars of the Union Republic.

The Vice-Chairmen.

The Chairman of the State Planning Commission.

The People's Commissars of:

Food Industry.

Light Industry.

Timber Industry.

Agriculture.

State Grain and Livestock Farms.

Finance.

Internal Trade.

Internal Affairs.

Justice.

Public Health.

Education.

Local Industry.

Municipal Economy.

Social Maintenance.

The Representative of the Committee of Agricultural Stocks.

Chief of the Board of Arts.

The Representatives of the All-Union People's Commissariats.

ARTICLE 84

The People's Commissars of a Union Republic direct the branches of the state administration which come within the jurisdiction of the Union Republic.

ARTICLE 85

The People's Commissars of a Union Republic issue, within the limits of the jurisdiction of their respective People's Commissariats, orders and instructions on the basis and in pursuance of the laws of the U.S.S.R. and the Union Republic, of decisions and orders of the Council of People's Commissars of the U.S.S.R. and that of the Union Republic, and of orders and instructions of the Union-Republican People's Commissariats of the U.S.S.R.

ARTICLE 86

The People's Commissariats of a Union Republic are either Union Republican or Republican Commissariats.

ARTICLE 87

The Union-Republican People's Commissariats direct the branches of state administration entrusted to them and are subordinate both to the Council of People's Commissars of the Union Republic and to the corresponding Union-Republican People's Commissariats of the U.S.S.R.

ARTICLE 88

The Republican People's Commissariats direct the branches of state administration entrusted to them and are directly subordinate to the Council of People's Commissars of the Union Republic.

CHAPTER VII

THE HIGHEST ORGANS OF STATE POWER OF THE AUTONOMOUS SOVIET SOCIALIST REPUBLICS

ARTICLE 89

The highest organ of state power of an Autonomous Republic is the Supreme Soviet of the Autonomous Soviet Socialist Republic.

ARTICLE 90

The Supreme Soviet of an Autonomous Republic is elected by the citizens of the Republic for a term of four years at the rate of representation determined by the Constitution of the Autonomous Republic.

ARTICLE 91

The Supreme Soviet of an Autonomous Republic is the sole legislative organ of the Autonomous Soviet Socialist Republic.

ARTICLE 92

Each Autonomous Republic has its own Constitution, which takes into account the specific features of the Autonomous Republic and is drawn up in full conformity with the Constitution of the Union Republic.

ARTICLE 93

The Supreme Soviet of an Autonomous Republic elects a Presidium of the Supreme Soviet of the Autonomous Republic and forms a Council of People's Commissars of the Autonomous Republic, in accordance with its Constitution.

CHAPTER VIII

THE LOCAL ORGANS OF STATE POWER

ARTICLE 94

The organs of state power in territories, regions, autonomous regions, areas, districts, cities and rural localities (stanitsa, village, hamlet, kishlak, aul), are the Soviets of Toilers' Deputies.

ARTICLE 95

The Soviets of Toilers' Deputies of territories, regions, autonomous regions, areas, districts, cities and rural localities (stanitsa, village, hamlet, kishlak, aul), are elected by the toilers in the respective territories, regions, autonomous regions, areas, districts, cities or rural localities for a term of two years.

ARTICLE 96

The rates of representation for Soviets of Toilers' Deputies are determined by the Constitutions of the Union Republics.

ARTICLE 97

The Soviets of Toilers' Deputies direct the activities of the organs of administration subordinate to them, ensure the maintenance of public order, the observance of the laws and the protection of the rights of citizens, direct local economic and cultural development and determine the local budgets.

ARTICLE 98

The Soviets of Toilers' Deputies adopt decisions and issue orders within the limits of the powers vested in them by the laws of the U.S.S.R. and the Union Republic.

ARTICLE 99

The executive and administrative organs of the Soviets of Toilers' Deputies of territories, regions, autonomous regions, areas, districts, cities and rural localities are the Executive Committees elected by them, consisting of a Chairman, Vice-Chairmen, Secretary and members.

ARTICLE 100

The executive and administrative organ of rural Soviets of Toilers' Deputies in small localities, in accordance with the Constitutions of the Union Republics, is the Chairman, the Vice-Chairman and Secretary elected by them.

ARTICLE 101

The executive organs of the Soviets of Toilers' Deputies are directly accountable both to the Soviets of Toilers' Deputies which elected them and to the executive organ of the superior Soviet of Toilers' Deputies.

CHAPTER IX

THE COURTS AND THE PROCURATOR'S OFFICE

ARTICLE 102

Justice in the U.S.S.R. is administered by the Supreme Court of the U.S.S.R., the Supreme Courts of the Union Republics, the Territorial and Regional courts, the courts of the Autonomous Republics and Autonomous Regions, Area courts, special courts of the U.S.S.R. established by decision of the Supreme Soviet of the U.S.S.R., and the People's Courts.

ARTICLE 103

In all courts cases are tried with the assistance of people's assessors, except in cases specially provided for by law.

ARTICLE 104

The Supreme Court of the U.S.S.R. is the highest judicial organ. The Supreme Court of the U.S.S.R. is charged with the function of supervising the judicial activities of all the judicial organs of the U.S.S.R. and of the Union Republics.

ARTICLE 105

The Supreme Court of the U.S.S.R. and the special courts of the U.S.S.R. are elected by the Supreme Soviet of the U.S.S.R. for a term of five years.

ARTICLE 106

The Supreme Courts of the Union Republics are elected by the Supreme Soviets of the Union Republics for a term of five years.

ARTICLE 107

The Supreme Courts of the Autonomous Republics are elected by the Supreme Soviets of the Autonomous Republics for a term of five years.

ARTICLE 108

Territorial and Regional courts, the courts of Autonomous Regions and Area courts are elected by the Territorial, Regional or Area Soviets of Toilers' Deputies or by the Soviets of Toilers' Deputies of the Autonomous Regions for a term of five years.

ARTICLE 109

People's Courts are elected by the citizens of the district on the basis of universal, direct and equal suffrage and secret ballot for a term of three years.

ARTICLE 110

Court proceedings are conducted in the language of the Union Republic, Autonomous Republic or Autonomous Region, persons not knowing this language being ensured every opportunity of fully acquainting themselves with the material pertaining to the case through an interpreter and the right to speak in court in their own language.

ARTICLE 111

In all courts of the U.S.S.R. cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right of defence.

ARTICLE 112

Judges are independent and subject only to the law.

ARTICLE 113

Supreme supervision over the strict execution of the laws by all People's Commissariats and institutions subordinated to them, as well as by official persons and by citizens of the U.S.S.R., is vested in the Procurator of the U.S.S.R.

ARTICLE 114

The Procurator of the U.S.S.R. is appointed by the Supreme Soviet of the U.S.S.R. for a term of seven years.

ARTICLE 115

Procurators of Republics, Territories and Regions, as well as Procurators of Autonomous Republics and Autonomous Regions, are appointed by the Procurator of the U.S.S.R. for a term of five years.

ARTICLE 116

Area, district and city procurators are appointed for a term of five years by the Procurators of the Union Republics and confirmed by the Procurator of the U.S.S.R.

ARTICLE 117

The Procurators' offices perform their functions independently of any local organs whatsoever and are subordinate solely to the Procurator of the U.S.S.R.

CHAPTER X

THE FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

ARTICLE 118

Citizens of the U.S.S.R. have the right to work, *i.e.*, the right to guaranteed employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organisation of national economy, the steady growth of the productive forces of Soviet society, the preclusion of the possibility of economic crises, and the abolition of unemployment.

ARTICLE 119

Citizens of the U.S.S.R. have the right to rest and leisure.

The right to rest and leisure is ensured by the reduction of the working day to seven hours for the overwhelming majority of the workers, the institution of annual vacations with pay for workers and other employees and the provision of a wide network of sanatoria, rest homes and clubs for the accommodation of the toilers.

ARTICLE 120

Citizens of the U.S.S.R. have the right to maintenance in old age and also in case of sickness or loss of capacity to work.

This right is ensured by the wide development of social insurance of workers and other employees at state expense, free medical service for toilers, and the provision of a wide network of health resorts for the accommodation of the toilers.

ARTICLE 121

Citizens of the U.S.S.R. have the right to education.

This right is ensured by universal, compulsory elementary education; by the fact that education, including higher education, is free of charge; by the system of state scholarships for the overwhelming majority of students in the higher educational estab-

lishments; by instruction in schools being conducted in the native language, and by the organisation of free vocational, technical and agronomic training for the toilers in the factories, state farms, machine and tractor stations and collective farms.

ARTICLE 122

Women in the U.S.S.R. are accorded equal rights with men in all spheres of economic, state, cultural, social and political life.

The possibility of exercising these rights of women is ensured by affording women equally with men the right to work, payment for work, rest and leisure, social insurance and education, and by state protection of the interests of mother and child, maternity leave with pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

ARTICLE 123

The equality of the rights of citizens of the U.S.S.R., irrespective of their nationality or race, in all spheres of economic, state, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or, conversely, the establishment of direct or indirect privileges for citizens on account of their race or nationality, as well as the advocacy of racial or national exclusiveness or hatred and contempt, is punishable by law.

ARTICLE 124

In order to ensure to citizens freedom of conscience, the church in the U.S.S.R. is separated from the state, and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognised for all citizens.

ARTICLE 125

In conformity with the interests of the toilers, and in order to strengthen the socialist system, the citizens of the U.S.S.R. are guaranteed by law:

- (a) freedom of speech;
- (b) freedom of the press;
- (c) freedom of assembly and of holding mass meetings;
- (d) freedom of street processions and demonstrations.

These rights of citizens are ensured by placing at the disposal of the toilers and their organisations printing presses, stocks of paper, public buildings, the streets, means of communication and other material requisites for the exercise of these rights.

ARTICLE 126

In conformity with the interests of the toilers, and in order to develop the organisational initiative and political activity of the masses of the people, citizens of the U.S.S.R. are ensured the right to unite in public organisations—trade unions, co-operative associations, youth organisations, sport and defence organisations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class and other strata of the toilers unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the toilers in their struggle to strengthen and develop the socialist system and which represents the leading core of all organisations of the toilers, both public and state.

ARTICLE 127

The citizens of the U.S.S.R. are guaranteed inviolability of person. No person may be placed under arrest except by decision of court or with the sanction of a procurator.

ARTICLE 128

The inviolability of the homes of citizens and secrecy of correspondence are protected by law.

ARTICLE 129

The U.S.S.R. grants the right of asylum to foreign citizens persecuted for defending the interests of the toilers, or for their scientific activities, or for their struggle for national liberation.

ARTICLE 130

It is the duty of every citizen of the U.S.S.R. to abide by the Constitution of the Union of Soviet Socialist Republics, to observe the laws, to maintain labour discipline, honestly to perform public duties, and to respect the rules of socialist human intercourse.

ARTICLE 131

It is the duty of every citizen of the U.S.S.R. to safeguard and fortify public, socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperous and cultured life of all the toilers.

Persons encroaching upon public, socialist property are enemies of the people.

ARTICLE 132

Universal military service is a law.

Military service in the Workers' and Peasants' Red Army is an honourable duty of the citizens of the U.S.S.R.

ARTICLE 133

To defend the fatherland is the sacred duty of every citizen of the U.S.S.R. Treason to the country—violation of the oath, desertion to the enemy, impairing the military power of the state, espionage—is punishable with all the severity of the law as the worst of crimes.

CHAPTER XI THE ELECTORAL SYSTEM

ARTICLE 134

Members of all Soviets of Toilers' Deputies—of the Supreme Soviet of the U.S.S.R., the Supreme Soviets of the Union Republics, the Soviets of Toilers' Deputies of the Territories and Regions, the Supreme Soviets of the Autonomous Republics, the Soviets of Toilers' Deputies of Autonomous Regions, area, district, city and rural (stanitsa, village, hamlet, kishlak, aul), Soviets of Toilers' Deputies—are elected by the electors on the basis of universal, equal and direct suffrage by secret ballot.

ARTICLE 135

Elections of deputies are universal: all citizens of the U.S.S.R. who have reached the age of 18, irrespective of race or nationality, religion, standard of education, domicile, social origin, property status or past activities, have the right to vote in the election of deputies and to be elected, with the exception of the insane and persons convicted by court of law to sentences including deprivation of electoral rights.

ARTICLE 136

Elections of deputies are equal: each citizen is entitled to one vote; all citizens participate in elections on an equal footing.

ARTICLE 137

Women have the right to elect and be elected on equal terms with men.

ARTICLE 138

Citizens serving in the Red Army have the right to elect and be elected on equal terms with all other citizens.

ARTICLE 139

Elections of deputies are direct: all Soviets of Toilers' Deputies, from rural and city Soviets of Toilers' Deputies up to and including the Supreme Soviet of the U.S.S.R., are elected by the citizens by direct vote.

ARTICLE 140

Voting at elections of deputies is secret.

ARTICLE 141

Candidates are nominated for election according to electoral areas.

The right to nominate candidates is secured to public organisations and societies of toilers: Communist Party organisations, trade unions, co-operatives, youth organisations and cultural societies.

ARTICLE 142

It is the duty of every deputy to report to the electors on his work and on the work of the Soviet of Toilers' Deputies, and he is liable to be recalled at any time in the manner established by law upon decision of a majority of the electors.

CHAPTER XII

EMBLEM, FLAG, CAPITAL

ARTICLE 143

The state emblem of the Union of Soviet Socialist Republics consists of a sickle and hammer against a globe depicted in the rays of the sun and surrounded by ears of corn with the inscription in the languages of the Union Republics—"Proletarians of All Countries, Unite!" Above the emblem is a five-pointed star.

ARTICLE 144

The state flag of the Union of Soviet Socialist Republics is of red cloth with the sickle and hammer depicted in gold in the upper corner near the staff and above them a five-pointed red star bordered in gold. The relation of the width to the length is 1-2.

ARTICLE 145

The capital of the Union of Soviet Socialist Republics is the City of Moscow.

CHAPTER XIII

THE PROCEDURE FOR AMENDING THE CONSTITUTION

ARTICLE 146

The Constitution of the U.S.S.R. may be amended only by decision of the Supreme Soviet of the U.S.S.R. adopted by a majority of not less than two-thirds of the votes cast in each of its Chambers.

A P P E N D I X

Since the Constitution was adopted on December 5th, 1936, the following changes have occurred:

REPUBLICS

The Kazakh and Kirghis Autonomous S.S.R.'s have been transformed into Union S.S.R.'s.

The Karelian Autonomous S.S.R. has been transformed into the Karelian-Finnish Union S.S.R., incorporating the territory ceded by Finland to the U.S.S.R. by the Treaty of March 12th, 1940.

The Moldavian Autonomous S.S.R. has been transformed into the Moldavian Union S.S.R., incorporating the territory of Bessarabia, except for the Khotin, Akkerman and Izmail districts.

The Lithuanian, Latvian and Estonian Soviet Socialist Republics have been admitted into the U.S.S.R.

The Khotin, Akkerman and Izmail districts of Bessarabia, together with Northern Bukovina, have been incorporated in the Ukrainian S.S.R.

Sventsiany and certain other districts of the Byelorussian S.S.R. have been transferred to the Lithuanian S.S.R.

PEOPLE'S COMMISSARIATS

The following changes in the People's Commissariats have occurred:

Defence—divided into—Defence
Navy

Water Transport—divided into—Mercantile Marine
River Fleet

Heavy Industry—divided into—Shipbuilding
Oil Industry
Coal Industry
Power Stations
Electrical Engineering
Heavy Metallurgy
Non-ferrous Metallurgy
Chemical Industry
Building Materials
Heavy Engineering
Medium Engineering
General Engineering

Defence Industry—divided into—Aviation Industry
Armaments Industry
Munitions Industry

Food Industry—divided into—Food Industry
Meat and Dairy Industry
Fisheries

Light Industry—divided into—Light Industry
Textiles

Timber Industry—divided into—Timber Industry
Cellulose and Paper Industry

The following new Commissariats have been formed:

Supplies

Building

State Control

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